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Administrative Office of the Courts

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Acting Administrative Director of the Courts

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Directive #12-19
[Supersedes Directive #01-02]
[Questions or comments may be directed to (609) 815-2900, ext. 55350]

TO: **Assignment Judges**
Family Court Presiding Judges
Trial Court Administrators
Family Division Managers

FROM: **Glenn A. Grant, J.A.D., Acting Administrative Director**

SUBJ: **Family – Revised Standards for Child Custody and Parenting Time Investigation Reports**

DATE: **June 21, 2019**

This directive supersedes Directive #01-02 and promulgates the Revised Standards for Custody and Parenting Time Investigation Reports as well as the report templates to be used by staff conducting these investigations. This material reflects current policies, procedures and forms to be used for custody and parenting time investigation reports, as approved by the Judicial Council.

The standards were developed to provide statewide uniformity and clarity as to: (1) the situations appropriate for ordering Custody and Parenting Time Investigation Reports; and, (2) the procedures for completing such reports. By selecting the appropriate report type, the court can obtain the information it needs to make well-informed custody and parenting time determinations. These standards also will foster efficient use of court staff and time, as the intention is to encourage judges to order only the specific information needed to make a sound decision.

The standards emphasize the use of alternate or complementary dispute resolution as the initial "court event" for custody and parenting time disputes, whenever appropriate, as outlined in R. 1:40-5. The court rule mandates the use of complementary dispute resolution (CDR) for most custody parenting time matters. Accordingly, all counties should be providing CDR services for such matters as the first alternative to a court hearing. CDR services can include consent conferencing as well as formal mediation sessions. Selected cases may be excluded from the CDR

requirement by court rule, statute, or judicial determination. Pursuant to Rule 5:8-1, the parties shall not be required to participate in custody evaluations with any expert during the CDR process, but may agree to do so.

Child Custody and Parenting Time Investigation Report Standards:

I. Rule 5:8-1:

Court Rule 5:8-1 designates the Family Division as the authorized entity to conduct custody and parenting time investigations. The court rule supports CDR initiatives for custody/parenting time matters (excluding where domestic violence is involved). When mediation fails, the court should be notified and made aware of any outstanding issues that require judicial intervention (i.e., court-ordered testing and evaluation of any kind). A case management conference will be subsequently scheduled where the court will review the case and determine if the case requires further evaluation and, if so, the type of investigative report the case will require for final disposition.

The rule also authorizes Family Division staff to conduct custody investigations at the discretion of the court. Such investigations should provide information for the court to make informed decisions regarding custody and shared parenting time between minor children and their parents when disputes arise. Requests for custody/parenting time investigations should be specific in nature and tailored to the immediate information needs of the court. Such requests should also be mindful of the qualifications of the personnel who will be completing the report. When the court requires assessments or investigations that address the psychological, psychiatric, or parental functioning capabilities of two parents, these assessments or investigations should be conducted only by qualified mental health professionals.

The safety of the child is the first and foremost consideration of the court. When Family Division staff become aware that DCP&P is currently involved with the family, or recently closed a case (within the previous six months), the judge should be notified so that the required steps can be taken to include DCP&P in the assessment of the family. When this occurs, the court should make efficient use of court staff and available resources by not duplicating DCP&P efforts. DCP&P has the ability to refer parties to any necessary mental health professionals and the judge can order DCP&P to submit any historical or current information that may assist the court in making a determination.

Conflicting information from the parties can make it difficult to make a determination in the best interest of the child regarding custody/shared parenting time. Custody/parenting time investigations can provide valuable ancillary information to the court for cases where the safety of the child is not in question.

II. Child Custody and Parenting Time Investigation Reports:

A. Choosing the Appropriate Report Type:

If the CDR process is unsuccessful, a judge may order certain reports and evaluations such as a home inspection or social investigation report in making a custody or parenting time determination.

Before requesting any new report, however, the court should first consider any existing report that may already have been prepared by outside agencies such as DCP&P, including psychological, psychiatric, and home investigation reports, if those existing reports can provide the court with the needed information and thereby avoid unnecessary duplication of effort.

The reports should provide the court with information concerning the statutory factors the court must consider in custody decisions affecting minor children, N.J.S.A. 9:2-4c, namely:

- The parties' ability to agree, communicate and cooperate in matters relating to children.
- The parties' willingness to accept custody.
- Any history of unwillingness to allow visitation not based upon substantiated abuse.
- The interaction and relationship of the child(ren) with the parties and siblings.
- The history of domestic violence, if any.
- The safety of the child(ren).
- The safety of either party from physical abuse by the other.
- The preference of the child(ren) when of sufficient age and capacity to reason and form an intelligent decision.
- The needs of the child.
- The stability of the home environment offered.
- The quality and continuity of the child(ren)'s education.
- The fitness of the parties.
- The geographic proximity of the parties' homes.
- The extent and quality of the time spent with the child(ren) prior to or subsequent to the separation.
- The parties employment responsibilities.
- The age and number of children.

B. Types of Reports:

Type 1 Home Inspection Report

This is a very specific observation-driven and information-gathering report limited to shared parenting time issues and questions the court needs answered. This type of report should be ordered when the court needs a factual description of the home where the child will be visiting. This report should be limited to criminal record checks for both parties unless otherwise ordered by the court; a description of the home based on observations during a home visit by the Family Division staff, including child-appropriate safety precautions (e.g., smoke alarms, child safety locks, window guards, stair gates, etc.); number of household occupants and relationship to the child; animals present (if there is a health issue for the child); sleeping quarters for the child; and child care and transportation arrangements (if applicable). The report should be limited to observations and answering the specific questions the court has requested. This report can be a stand-alone report if physical location is the only issue that needs to be addressed in the case.

Type 2 Social Investigation Report

This report is reserved for cases with no recent history of DCP&P involvement. Any case with DCP&P involvement during the last six months should not be immediately referred for a new custody/parenting time Social Investigation. To avoid duplication of effort, the court should review the available DCP&P records and contact DCP&P staff if additional information is required and request their records for review. DCP&P collects extensive information on families and has the available resources that could not be duplicated without the court, or the parties, absorbing the cost. A social investigation is an intensive information gathering process. The report should be based on observations and collateral contacts for verification of information regarding the social situation of both parties seeking custody. The information provided should assist the court in determining the long-term best interest of the child(ren) in question. Conclusive evaluative judgments or recommendations pertaining to the psychological or emotional status and the parental functioning of the parties are to be made only by those licensed or certified professionals qualified to make such mental health judgments and recommendations (See Type 3 below). This may also be a stand-alone report if physical location has not been raised as an issue by the parties or by the court.

This type of report is appropriate when conflicting information is received by the court regarding the parents, but the psychological fitness of both parties is not in question. This report should include criminal record checks for both parties; previous court involvement; summary of background statements

given by plaintiff/defendants; time availability and financial status of both parties; collateral contacts from school (i.e., child study team, guidance counselor, attendance records, school report card, teacher); pediatrician's report; counseling reports of child, if appropriate and available; child care arrangements available to both parties; neighborhood safety issues; recreational outlets for children (appropriate toys or plans offered by both parties); home inspection, to include all aspects of safety and space as stated in the visitation report; and results of any drug and alcohol screening reports ordered by the court. In order to attain certain information regarding school or medical records, school and/or medical release forms (attachments) will need to be signed by the custodial parent or guardian.

Note: At the discretion of the court, a home inspection report may be waived as part of the social investigation if the issue of physical location has not been raised by the parties or if the court determines it is not an issue in the case.

Type 3 Psychological, Psychiatric, or Parental Functioning Assessments, or Mental Health Evaluations

These reports are ordered by the judge when necessary to make a custody/shared parenting time determination. Only licensed or certified mental health professionals should conduct such assessments, which should include definitive recommendations regarding the mental, emotional, or parental functioning status of the parties involved. Judges should order such reports only after mediation has failed and only if there is a clear indication that there are psychological or psychiatric issues that point to the necessity for such evaluations. An exception would be when a judge determines that mediation should not be conducted before such an evaluation is completed. Such reports should be ordered when the judge determines that a social investigation will not provide the information needed to make a custody or parenting time decision. These mental health determinations should be made only by licensed practitioners.

C. Confidentiality of Reports:

Child Custody and Parenting Time Investigation Reports generated by Family Division staff are confidential to the public but are not confidential to the parties involved in the case. See R. 1:38-3(d). Any and all parts of the report must be shared with all parties who are subjects of the report. The contents of the report and its preparer are subject to challenges and cross examination pursuant to current procedures, rules and case law.

D. Form of Order:

The Uniform Summary Support Order (USSO) (attached) should be used to order the specific type of Child Custody or Parenting Time Investigation Report needed in a particular case. The type of report requested should be specified in the free form section 23 of the order.

Editor's Note

2019 Update – This directive was amended and revised to: (a) add reference to the amended Rule 5:8-1; (b) update the language to reflect current procedure; (c) add the USSO as the form of order to be used when specific custody and parenting time investigative reports are ordered; and, (c) incorporate the standards into the directive rather than in an attachment. Additionally, forms were removed that were no longer relevant to the process. Lastly, the language regarding having staff interview children was removed from the current directive.

April 2, 2002 -- Originally issued by Robert D. Lipscher, Administrative Director

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Attachments:
Home Inspection Report (CN 12271)
Custody Parenting Time Social Investigation Report (CN 12274)
School Release Form (CN 12272)
Medical Release Form (CN 12273)
Uniform Summary Support Order (CN 10284)

cc. Chief Justice Stuart Rabner
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Special Assistants to the Administrative Director
Amelia Wachter-Smith, Chief
Assistant Family Division Managers

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New Jersey Judiciary

Home Inspection Report

Date / Time

_____

_____

Case Name(s):

Docket Number(s):

Party Visited:

Address:

Telephone:

Names and Relationships of Persons Presently Residing in the Home: (Use additional sheet if necessary.)

Name	Relationship

Type of Neighborhood: ☐ Urban ☐ Apt. Complex ☐ Rural ☐ Other _____

Length of Residency: _____ ☐ Rent ☐ Own

Exterior Condition of Home/Apt: _____

_____

Number of Rooms: _____ Bedrooms: _____ Bath(s): _____

Sleeping Arrangements: _____

_____

Adequate Cooking and Eating Facilities: ☐ Yes ☐ No (if No, explain)

_____

Adequate Facilities (bedrooms, bathrooms, living space) for Number of Persons in the Home?

☐ Yes ☐ No (if No, explain)

_____

_____

Basement: ☐ Yes ☐ No Garage: ☐ Yes ☐ No

Backyard: ☐ Yes (if Yes, describe condition) ☐ No

_____

_____

Home Inspection Report

Appropriate Heat/Ventilation: ☐ Yes ☐ No

Adequate Water and Working Plumbing: ☐ Yes ☐ No

Smoke Detectors: ☐ Yes ☐ No

Window Guards (if appropriate): ☐ Yes ☐ No

Hazardous Items Appropriately Secured: ☐ Yes ☐ No (if No, explain) _____

Adequate Furnishings: ☐ Yes ☐ No

Facilities in Good Working Condition? ☐ Yes ☐ No

Condition of Housekeeping in Relation to Safety of Child(ren)

_____

_____

_____

_____

Number & Types of Pets: _____

_____

Additional Comments/Problem Areas:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Submitted By:

_____ _____

Signature Date

_____

Name &Title (typed or printed)

New Jersey Judiciary

Custody/Parenting Time Social Investigation Report

Case Name:	Docket Number:
Date Ordered:	Court Date:
Judge:	Report Type:
Plaintiff's Attorney:	Defendant's Attorney:
Attorney's Phone:	Attorney's Phone:

Child(ren)

Name	Date of Birth	Age	Residence

Party Profile

Plaintiff	Defendant
Name(s):	Name(s):
Relationship to child:	Relationship to child:
Date of Birth:	Date of Birth:
Birth Place:	Birth Place:
Social Security Number:	Social Security Number:
Address:	Address:
Phone:	Phone:
Number of People in Household:	Number of People in Household:
Description of Residence:	Description of Residence:

Party Profile - continued

Plaintiff	Defendant
Education:	Education:
Employer:	Employer:
Additional Income:	Additional Income:
Number of Children Living at Residence:	Number of Children Living at Residence:
Health Status:	Health Status:
Substance Abuse:	Substance Abuse:
Arrest History:	Arrest History:

Preface: (Brief Overview of Case and Case History)

1. Previous court actions/investigations on involved children and any decisions made. (If no decision yet, include last recommendation made.)
2. Description of family unit and children.
3. Brief description of reasons for family break-up.
4. Who is requesting custody/visitation, and reasons. (Briefly summarize.)

Plaintiff's & Defendant's Account of Social History:

Provide plaintiff's or defendant's account. Do not use "stated, claimed", etc., as heading already notes such. However, to avoid choppiness or ambiguity of source, an occasional "Mr./Mrs. Jones said" is acceptable.

1. List in sequence: education, employment (enough to demonstrate present status and earning power and potential), financial health, community ties, prior records, statement of other significant relationships (new spouse, etc.), current situation.
2. Home visit – include date, physical description (number of bedrooms, living room, kitchen, etc.), housekeeping standards and atmosphere. Also, names of all people living in home and their relationship to the children.
3. If another county/state agency is investigating one of the parties, note under appropriate heading the names of the investigating authority and whether report is attached or awaited. Also, note here any information from other investigating authority.
4. Use the following codes to indicate if the information contained in these sections have been verified:

V – verified
UV – unable
AV – awaiting verification

Plaintiff's & Defendant's Social History as It Related to the Child(ren) Involved:

This section should not be centered around why either parent feels the other is an unacceptable parent, although this must be included. Positives, such as examples of their own parenting skills (past and present) must be included, or their absence noted, including:

1. Plans for child care if working (baby-sitters, day care, etc.).
2. How they feel they relate to children (use examples).
3. Details of care for any physical, emotional problems, educational needs, recreational needs, ordinary emotional needs.

If there are specific charges involving the welfare of the child, get examples and statements of witnesses, if possible; also, what parent did about any abuse (called police, DCP&P, took to doctor, etc.). Also, check how they would react to joint custody or visitation (overnight or for the day); any problems with present arrangements; are their plans realistic, well thought out; are they willing to ensure that other parent has the chance of a good relationship with the child.

It is here that you would describe in greater detail the reasons for any marital/family breakup, whenever it relates to the welfare of the child or children.

Status of the Children:

If more than one child, list information regarding each child separately, beginning each child's portion with the name underlined, e.g., Mary Jones, age 13 is

Include general statement as to scholastic adjustment, health, any employment, religion, etc.

Describe child's room, clothing, toys, games, emotional status (both the apparent, and any described by medical authority), attitude towards other family members.

Discuss child's perception of each parent, both positive and negative, with specific examples. Don't be vague.

Note child/parent interaction whenever both can be seen together.

List Special Areas of Inquiry for the Judge. If none, write "none".

Additional Contacts:

Interviews with significant others (new spouse, other adults living in the home, baby-sitters, etc.).

Schools (include school reports), counseling treatment if unable to place in social history, i.e., DCP&P, Probation records.

Submitted By:

Signature	Date
Name & Title (typed or printed)	

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School Release Form

Permission to Release Information

Name of Child:	Date of Birth:
Address:	Grade:
School/Institution:	
School Address:	

To Whom It May Concern:

I hereby grant permission to the (name of institution) _____ to furnish records of any physical or mental examination and/or social investigation or history concerning the above named child and/or his/her family, to the _____ Superior Court, Family Division.

A reproduction of this authorization shall be considered as effective and valid as the original. This authorization shall become invalid one year from the date signed.

_____ Signature

_____ Relationship

_____ Witness

_____ Date

To School Officials:

For **High School Students** – Please attach a copy of the student's transcript, current report card, test record, attendance record, and when applicable, special services report.

For **All Other Students** – Please attach a copy of the student's current report card (other appropriate report cards, if available, test records, and attendance records.

For **All Students** – Please complete the attached questionnaire.

New Jersey Judiciary
School Release Form

School Report

Name of School:

Name of Child:

1. Does this student seem to be performing at his or her level of academic ability? ☐ Yes ☐ No
   Explain: _____

2. Has this student's behavior in school resulted in disciplinary action by the administration? ☐ Yes ☐ No
   If Yes, explain: (If the student was suspended, describe behaviors, indicate number of times and identify infractions)
   _____
   _____
   _____
   _____

3. Has this student been referred to Special Services? ☐ Yes ☐ No
   If Yes, list name and phone number of caseworker and we will seek additional information from your Special Services/Child Study Team
   _____

4. Does this student have any health factors (physical or emotional) of which the court should be aware? ☐ Yes ☐ No
   If Yes, explain
   _____
   _____
   _____

5. Describe how the student relates with his or her peers. If there is any exceptional behavior, please explain.
   _____
   _____
   _____
   _____

6. Remarks: (Please make any additional remarks in this section)
   _____
   _____
   _____
   _____
   _____
   _____
   _____

_____ Signature

_____ Date

_____ Title

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Medical Release Form

Permission to Release Medical Information

Name of Child:	Date of Birth:
Provider/Institution:	
Address:	

To Whom It May Concern:

I hereby grant permission to the (health care provider, institution, or public entity) _____ to furnish any physical or mental examination records and/or social investigation or history records concerning the above named child and/or his/her family to the _____ County Superior Court, Family Division.

A reproduction of this authorization shall be considered as effective and valid as the original. This authorization shall become invalid one year from the date signed.

_____ Signature

_____ Relationship

_____ Witness

_____ Date

To Health Care Provider:

Please provide a brief summary of medical/treatment history of the child named above.

_____ Signature

_____ Date

PLAINTIFF	VS	DEFENDANT	SUPERIOR COURT OF NEW JERSEY Chancery Division-Family Part **Uniform Summary Support Order**
☐ Obligor ☐ Obligee		☐ Obligor ☐ Obligee	COUNTY: _____
HEARING DATE / /	WELFARE / U.I.F.S.A. #		DOCKET # _____ CS# _____

With appearance by: ☐ PL ☐ Atty for PL _____ ☐ DEF ☐ Atty for DEF _____

☐ IV-D Atty _____ ☐ County Probation Division _____

This matter having been opened to the court by: ☐ Plaintiff ☐ Defendant ☐ County Welfare Agency ☐ Probation Division ☐ Family Division

for an **ORDER** for: ☐ **Paternity** ☐ **Support** ☐ **Visitation** ☐ **Custody** ☐ **Enforcement** ☐ **Modification / Increase / Decrease**

1. State with **C**ontinuing **E**xclusive **J**urisdiction:

CHILD'S NAME	BIRTH DATE	CHILD'S NAME	BIRTH DATE
2A.		2D.	
2B.		2E.	
2C.		2F.	

3. ☐ **PATERNITY** of child(ren) (# above) _____ is hereby established and an **ORDER** of paternity is hereby entered.

4. ☐ A Certificate of Parentage has been filed for child(ren) #_____ above.

5. ☐ IT IS HEREBY ORDERED THAT: The obligor shall pay support to the New Jersey Family Support Payment Center in the amount of:

	+		+		=		payable		effective	
Child Support		Spousal Support		Arrears Payment		Total		Frequency		Date

NOTE: Child support is subject to a biennial cost-of-living adjustment in accordance with *R.* 5:6B

6. ☐ Child Support Guidelines Order ☐ Deviation reason: _____

6A. ☐ Worksheet attached.

7. ☐ Support order shall be administered and enforced by the Probation Division in the county of Venue, _____ County.

8. ☐ **ARREARS** calculated at establishment hearing are based upon amounts and effective date noted above and total $_____.

9. ☐ **ARREARS** indicated in the records of the Probation Division, are $_____ as of ____/____/____.

10. ☐ **GROSS WEEKLY INCOMES** of the parties, as defined by the Child Support Guidelines, upon which this **ORDER** is based:
OBLIGEE $_____ **OBLIGOR** $_____

11. ☐ **INCOME WITHHOLDING** is hereby **ORDERED** on current and future income sources, including:

Name of income source:	Address of income source:
_____	_____
_____	_____

OBLIGOR SHALL, however, make payments **AT ANY TIME** that the full amount of support and arrears is not withheld.

12. ☐ **Medical Support** coverage as available at reasonable cost shall be provided for the ☐ **child(ren)** ☐ **spouse**,
by **Obligor** ☐ **Obligee** ☐ **Both** ☐

The parties shall pay unreimbursable health care expenses of the child(ren) which exceed $250.00 per child per year as follows:
_____**% Obligor** _____**% Obligee**

Pursuant to R 5:6A the obligee shall be responsible for the first $250.00 per child per year.

If coverage is available, Medical Insurance I.D. card(s) as proof of coverage for the child(ren)/spouse shall be provided immediately upon availability to the Probation Division by the:

☐ **Obligee** ☐ **Obligor**

12A. ☐ Insurance currently provided by a non-party:_____.

12B. ☐ Health insurance benefits are to be paid directly to the health care provider by the insurer.

13. ☐ **GENETIC TESTING** to assist the court in determining paternity of the child(ren) (#_____) is hereby **ORDERED**. The county welfare agency or the foreign jurisdiction in the county of residence of the child shall bear the cost of said testing, without prejudice to final allocation of said costs. If defendant is later adjudicated the father of said child(ren), defendant shall reimburse the welfare agency for the costs of said tests, and pay child support retroactive to ___/___/___.

13A. ☐ Issues of reimbursement reserved. 13B. ☐ Issue of retroactive order reserved.

14. ☐ This matter is hereby **RELISTED** for a hearing on ____/____/____ before _____. A copy of this **ORDER** shall serve as the summons for the hearings. **No further notice for appearance shall be given.** Failure to appear may result in a default order, bench warrant, or dismissal. Reason for relist:

15. ☐ **AN EMPLOYMENT SEARCH MUST BE CONDUCTED BY THE OBLIGOR.** Written records of at least #_____ employment contacts per week must be presented to the Probation Division. If employed, proof of income and the full name and address of employer must be provided immediately to the Probation Division.

16. ☐ **SERVICE** upon which this order is based:

Personal Service ☐**Certified Mail:** ☐**Refused** ☐**Regular Mail (not returned)**
Date: ___/___/___ ☐**Signed by:** _____ ☐**Returned Unclaimed** ☐**Other:**

17. ☐ **A BENCH WARRANT** for the arrest of the obligor is hereby **ORDERED**. The obligor was properly served with notice for court appearance on ___/___/___, and failed to appear. (Service noted above). An amount of $ _____ shall be required for release.

18. ☐ **EFFECTIVE** ___/___/___ **FUTURE MISSED PAYMENT(S)** numbering _____ or more may result in the issuance of a warrant, without further notice.

19. ☐ **A LUMP SUM PAYMENT OF** $_____ must be made by the obligor by ____/____/____, or a bench warrant may be issued without further notice.

20. ☐ This complaint / motion is hereby **DISMISSED**: (reason) _____

21. ☐ Order of Support is hereby **TERMINATED** effective ____/____/____, as _____. Arrears accrued prior to effective date, if any, shall be paid at the rate and frequency noted on page number one of this **ORDER.**

22. ☐ **THIS ORDER IS ENTERED BY DEFAULT**. The ☐obligor ☐obligee was properly served to appear for a hearing on ____/____/____ and failed to appear. 22A. ☐ Affidavit of Non-Military Service is filed.

23. ☐ It is further **ORDERED**: _____

EXCEPT AS PROVIDED HEREIN, ALL PRIOR ORDERS OF THE COURT REMAIN IN FULL FORCE AND EFFECT.

I hereby declare that I understand all provisions of this **ORDER** recommended by a Hearing Officer and I waive my right to an immediate appeal to a Superior Court Judge:

PLAINTIFF _____ **DEFENDANT** _____

ATTORNEY FOR PLAINTIFF _____ **ATTORNEY FOR DEFENDANT** _____

24. ☐ **INTAKE CONFERENCE BY AUTHORIZED COURT STAFF:**

25. ☐ The parties request the termination of all Title IV-D services and consent to direct payment of support. They are advised that all monitoring, collection, enforcement and location services available under Title IV-D of the Social Security Act are no longer in effect. I understand I may reapply for Title IV-D services.

_____ obligee _____ obligor

26. ☐ Copies provided at hearing to ☐obligee ☐obligor 26A. ☐Copies to be mailed to ☐obligee ☐obligor

TAKE NOTICE THAT THE NEW JERSEY UNIFORM SUPPORT NOTICES WHICH ARE PROVIDED IN APPENDIX XVI OF THE RULES OF COURT, AND WHICH FOLLOW, ARE INCORPORATED INTO THIS ORDER BY REFERENCE AND ARE BINDING ON ALL PARTIES.

So **Recommended** to the Court by the Hearing Officer:

Date / / **H.O.** **Signature**

So **Ordered** by the Court:

Date / / **Judge** **Signature** **J.S.C.**

UNIFORM SUMMARY SUPPORT ORDER (*R.* 5:7-4)

NEW JERSEY UNIFORM SUPPORT NOTICES

PURSUANT TO R. 5:7-4(f), TAKE NOTICE THAT THE FOLLOWING PROVISIONS ARE TO BE CONSIDERED PART OF THIS ORDER AND ARE BINDING ON ALL PARTIES:

1. You must continue to make all payments until the court order is changed by another court order.

2. You must file a **WRITTEN** request to the Family Division in the county in which the order was entered in order for the court to consider a change in the support order. Contact the Family or Probation Division to find out how to do this. It is important that you request a change as soon as possible after your income or the child(ren)'s status changes. In most cases, if you delay making your request, and you are the obligor, you will have to pay the original amount of support until the date of your written request.

3. Payments must be made directly to the New Jersey Family Support Payment Center, P.O. Box 4880, Trenton, NJ 08650, unless the court directs otherwise. Payments may be made by money order, check, direct debit from your checking account, or credit card. Gifts, other purchases, or in-kind payments made directly to the obligee or child(ren) will not fulfill the support obligation. Credit for payments made directly to the obligee or child(ren) may not be given without a court order.

4. No payment or installment of an order for child support, or those portions of an order that are allocated for child support, shall be retroactively modified by the court except for the period during which the party seeking relief has pending an application for modification as provided in *N.J.S.A.* 2A:17-56.23a. (*R.* 5:7-4(e)).

5. The amount of child support and/or the addition of a health care coverage provision in Title IV-D cases shall be subject to review at least once every three years, on written request by either party to the Division of Family Development, P.O. Box 716, Trenton, NJ 08625-0716, as appropriate, or upon application to the court. (*N.J.S.A.* 2A: 17-56.9a; *R.* 5:7-4(e)).

6. In accordance with *N.J.S.A.* 2A:34-23b, the custodial parent may require the non-custodial parent's health care coverage provider to make payments directly to the health care provider by submitting a copy of the relevant sections of the order to the insurer. (*R.* 5:7-4(e)).

7. Social Security numbers are collected and used in accordance with section 205 of the Social Security Act (42 *U.S.C.* 405). Disclosure of an individual's Social Security number for Title IV-D purposes is mandatory. Social Security numbers are used to obtain income, employment, and benefit information on individuals through computer matching programs with federal and state agencies, and such information is used to establish and enforce child support under Title IV-D of the Social Security Act (42 *U.S.C.* 651 et seq.). Any person who willfully and with the intent to deceive, uses a Social Security number obtained on the basis of false information provided to Social Security Administration **or** provides a false or inaccurate Social Security number is subject to a fine or imprisonment. (42 *U.S.C.* 408(7); *R.* 5:7-4(e)).

8. The United States Secretary of State is required to refuse to issue or renew a passport to any person certified as owing a child support arrearage exceeding the statutory amount. In addition, the U.S. Secretary of State may take action to revoke, restrict or limit a passport previously issued to an individual owing such a child support arrearage. (42 *U.S.C.* 652(k)).

9. Failure to appear for a hearing to establish or to enforce an order, or failure to comply with the support provisions of this order may result in incarceration. The obligee and obligor shall notify the appropriate Probation Division of any changes in address, employment status, health care coverage, or a change in the address or status of the child(ren). Changes must be reported in writing to the Probation Division within 10 days of the change. Not providing this information is a violation of this Order. The last address you give to Probation will be used to send you notices. If you fail to appear, a default order may be entered against you or a warrant may be issued for your arrest (*R.* 5:7-4(e)).

10. Any payment or installment for child support shall be fully enforceable and entitled to full faith and credit and shall be a judgment by operation of law on or after the date it is due (*N.J.S.A.* 2A:17-56.23a). Any non-payment of child support you owe has the effect of a lien against your property. This child support lien may affect your ability to obtain credit or to sell your property. Failure to remit timely payment automatically results in the entry of a judgment against the obligor and post-judgment interest may be charged. Judgments [also] accrue interest at the rate prescribed by Rule 4:42- 11(a). (*R.* 5:7-4(e), 5:7-5(g)). Before the satisfaction of the child support judgment, any party to whom the child support is owed has the right to request assessment of post-judgment interest on child support judgments.

11. All child support obligations are payable by income withholding unless otherwise ordered. If immediate income withholding is not required when an order is entered or modified, the child support provisions of the order may be subject to income withholding when the amount due becomes equal to, or in excess of the amount of support due for 14 days. The withholding is effective against the obligor's current and future income from all sources authorized by law. (*R.* 5:7-4(e), *R.* 5:7-5).

12. The occupational, recreational, and professional licenses, including a license to practice law, held or applied for by the obligor may be denied, suspended or revoked if: 1) a child support arrearage accumulates that is equal to or exceeds the amount set by statute, or 2) the obligor fails to provide health care coverage for the child as ordered by the court, or 3) a warrant for the obligor's arrest has been issued by the court for obligor's failure to pay child support as ordered, or for obligor's failure to appear at a hearing to establish paternity or child support, or for obligor's failure to appear at a child support hearing to enforce a child support order and said warrant remains outstanding. (*R.* 5:7-4(e)).

13. The driver's license held or applied for by the obligor may be denied, suspended, or revoked if 1) a child support arrearage accumulates that is equal to or exceeds the amount set by statute, or 2) the obligor fails to provide health care coverage for the child as ordered by the court. The driver's license held or applied for by the obligor shall be denied, suspended, or revoked if the court issues a warrant for the obligor's arrest for failure to pay child support as ordered, or for failure to appear at a hearing to establish paternity or child support, or for failure to appear at a child support hearing to enforce a child support order and said warrant remains outstanding. (*R.* 5:7-4(e)).

14. The name of any delinquent obligor and the amount of overdue child support owed will be reported to consumer credit reporting agencies as a debt owed by the obligor, subject to all procedural due process required under State law. (*N.J.S.A.* 2A: 17-56.21).

15. Child support arrears may be reported to the Internal Revenue Service and the State Division of Taxation. Tax refunds/homestead rebates due the obligor may be taken to pay arrears (*N.J.S.A.* 2A:17-56.16).

16. Child support arrears shall be paid from the net proceeds of any lawsuit, settlement, civil judgment, civil arbitration award, inheritance or workers' compensation award to a prevailing party or beneficiary before any monies are disbursed. (*N.J.S.A.* 2A:17-56.23b).

17. Periodic or lump sum payments from State or local agencies, including lotteries, unemployment compensation, workers' compensation or other benefits, may be seized or intercepted to satisfy child support arrearages. (*N.J.S.A.* 2A:17-56.53).

18. If you owe past due child support, your public or private retirement benefits, and assets held in financial institutions may be attached to satisfy child support arrearages. (*N.J.S.A.* 2A:17-56.53).

19. A person under a child support obligation, who willfully fails to provide support, may be subject to criminal penalties under State and Federal law. Such criminal penalties may include imprisonment and/or fines. (*N.J.S.A.* 2C:24-5; *N.J.S.A.* 2C:62-1; 18 *U.S.C.A.* 22).

20. If this order contains any provision concerning custody and/or parenting time, both parties are advised: Failure to comply with the custody provisions of this court order may subject you to criminal penalties under *N.J.S.A.* 2C:13-4, **Interference with Custody**. Such criminal penalties include, but are not limited to, imprisonment, probation, and/or fines.
    Si esta orden contiene alguna disposición con respecto a la custodia o el horario de las visitas paternas o maternas, se informa a ambas partes que: De no cumplir con las disposiciones de esta orden judicial sobre la custodia, pueden estar sujetas a las penalidades establecidas para esa conducta penal en *N.J.S.A. 2C:13-4,* **Interferencia con la Custodia (Interference with Custody)**. Tales penalidades incluyen encarcelamiento, libertad a prueba y multas, pero no se limitan a las penas mencionadas.